

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES LOSSIA, JR. and
ALEXANDRA PLAPCIANU,
individually and on behalf of
others similarly situated,

Plaintiffs,

Case No. 15-12540

vs.

HON. GEORGE CARAM STEEH

FLAGSTAR BANCORP, INC.,
a/k/a FLAGSTAR BANK,

Defendant.

_____ /

ORDER GRANTING DEFENDANT'S MOTION FOR LEAVE
TO FILE TWO MOTIONS FOR SUMMARY JUDGMENT [DOC. 41]

Plaintiffs James Lossia Jr. and Alexandra Plapcianu filed this putative class action lawsuit against Flagstar Bank alleging breach of contract and violations under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. Discovery has been bifurcated between plaintiff-specific and class-wide claims unless and until a class certification motion is granted. Defendant moves for leave to file a motion for summary judgment based on the evidence in the record as to the individual plaintiffs' claims while reserving the right to file an additional motion for summary judgment based on class-wide evidence in the event the individual motion is denied and plaintiffs' proposed class is certified. Plaintiffs filed objections to defendant's requested relief.

Under Local Rule 7.1(b)(2), parties "must obtain leave of court to file more than one motion for summary judgment." The court finds that defendant's request for leave to file one Rule 56 motion in connection with plaintiffs' individual claims and one

additional motion in the event that class certification is granted, promotes the underlying goals of efficiency and economical use of judicial resources underlying class action litigation. Defendant's motion for leave is therefore GRANTED.

Dated: August 5, 2016

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 5, 2016, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk